

STATUTES OF CALIFORNIA 1947

CONSTITUTION OF 1879 AS AMENDED
MEASURES SUBMITTED TO VOTE
OF ELECTORS, 1946

GENERAL LAWS, AMENDMENTS TO
CODES, RESOLUTIONS, AND
CONSTITUTIONAL AMENDMENTS

PASSED AT THE
1946 FIRST AND SECOND EXTRAORDINARY
SESSIONS OF THE LEGISLATURE

THE
1947 REGULAR SESSION OF
THE LEGISLATURE

AND THE
1947 FIRST EXTRAORDINARY SESSION
OF THE LEGISLATURE



proceedings and bring the necessary suits to cure any defects in said title, the cost and expenses of all of which, together with any other expenses of the sale, may be paid from the appropriation for support of the Department of Finance, and such appropriation reimbursed from the proceeds of said sale. The balance of said proceeds shall be paid into the General Fund.

SEC. 3. The Director of Finance is hereby authorized to execute to the purchaser for and on behalf of and in the name of the State of California, deeds of conveyance of said real property in the usual form of grant, bargain and sale, and deliver the same upon the payment of the full amount of the purchase price. Said deeds shall be effectual to pass and convey to the said purchaser all of the right, title, interest and estate of the State of California in and to said real property. Deeds

SEC. 4. There is hereby excepted and reserved to the State of California all deposits of minerals, including oil and gas, in said lands, together with the right to prospect for, extract and remove such deposits of minerals, including oil and gas, therefrom. Reservation
of minerals,
etc.

CHAPTER 1532

An act to amend Sections 126 and 113, and to repeal Sections 111, 112, 114, 116, and 117 of the Government Code, and to repeal Chapter 3, Statutes 1934 (1st Ex.) Session, relating to the acquisition of land in this State by the United States. Stats 1935,
D 4,
repealed

[Approved by Governor July 18, 1947. Filed with
Secretary of State July 18, 1947.]

In effect
September
19, 1947

The people of the State of California do enact as follows:

SECTION 1. Section 126 of the Government Code is amended to read:

126. Notwithstanding any other provision of law, general or special, the Legislature of California consents to the acquisition by the United States of land within this State upon and subject to each and all of the following express conditions and reservations, in addition to any other conditions or reservations prescribed by law: Consent to
United
States
acquisition
of lands

(a) The acquisition must be for the erection of forts, magazines, arsenals, dockyards, and other needful buildings, or other public purpose within the purview of Clause 17 of Section 8 of Article I of the Constitution of the United States, or for the establishment, consolidation and extension of national forests under the provisions of the act of Congress approved March 1, 1911, (36 Stat. 961) known as the "Weeks Act"; Express
conditions

(b) The acquisition must be pursuant to and in compliance with the laws of the United States; U S C Title
16, Sec 480
et seq

(c) The United States must in writing have assented to acceptance of jurisdiction over the land upon and subject to

each and all of the conditions and reservations in this section prescribed;

(d) The conditions prescribed in subdivisions (a), (b), and (c) of this section must have been found and declared to have occurred and to exist, by the State Lands Commission, and the commission must have found and declared that such acquisition is in the interest of the State, certified copies of its orders or resolutions making such findings and declarations to be filed in the office of the Secretary of State and recorded in the office of the county recorder of each county in which any part of the land is situate;

(e) In granting this consent, the Legislature and the State reserve jurisdiction on and over the land for the execution of civil process and criminal process in all cases, and the State's entire power of taxation including that of each state agency, county, city, city and county, political subdivision or public district of or in the State; and reserve to all persons residing on such land all civil and political rights, including the right of suffrage, which they might have were this consent not given.

(f) This consent continues only so long as the land continues to belong to the United States and is held by it in accordance and in compliance with each and all of the conditions and reservations in this section prescribed.

Hearing

The finding and declaration of the State Lands Commission provided for in subdivision (d) of this section shall be made only after a public hearing. Notice of such hearing shall be published once in a newspaper of general circulation in each county in which the land or any part thereof is situated and a copy of such notice shall be personally served upon the clerk of the board of supervisors of each such county. The State Lands Commission shall make rules and regulations governing the conditions and procedure of such hearings, which shall provide that the cost of publication and service of notice shall be borne by the owner or transferee of the property.

Exempt
acquisitions

The provisions of this section do not apply to any land or water areas heretofore or hereafter acquired by the United States for migratory bird reservations in accordance with the provisions of Sections 375 to 380, inclusive, of the Fish and Game Code.

SEC. 2. Section 113 of said code is amended to read:

Administra-
tion of
criminal law

113. The State reserves the administration of the criminal law of the State with respect to any land over which any jurisdiction has been or may be ceded or conveyed to the United States, during the time the United States is the owner thereof.

Repeals

SEC. 3. Sections 111, 112, 114, 116, and 117 of said code are repealed.

Repeal

SEC. 4. Chapter 3 of the Statutes of 1934 (First Extraordinary) Session is repealed.